

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Rodney L. Kirstine

**Serial No.:** 10/642,921

**Filed:** August 18, 2003

**For:** METHOD AND APPARATUS FOR  
MEASUREMENT OF THICKNESS AND  
WARPAGE OF SUBSTRATES

**Confirmation No.:** 3659

**Examiner:** Y. Guadalupe

**Group Art Unit:** 2859

**Attorney Docket No.:** 2269-5659US  
(02-1364.00/US)

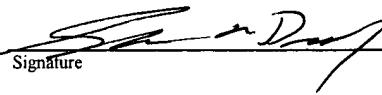
**Notice of Allowance Mailed:**

March 22, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 12, 2006  
Date

  
Signature

Shawnee L. MacDonald  
Name (Type/Print)

TRANSMITTAL LETTER

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1,715.00 in payment therefor plus five (5) copies of the patent when issued.

Also enclosed are Amendment Pursuant to 37 C.F.R. § 1.312(a); Comments on Statement of Reasons for Allowance; and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees.

Applicant understands that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



Kirsten L. Dockstader  
Registration No. 54,597  
Attorney for Applicant  
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Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: June 13, 2006

KLD/dlm:slm

Enclosures: Part B - Issue Fee Transmittal

Check No. 22901 in the amount of \$1,715.00

Copy of Transmittal Letter

Amendment Pursuant to 37 C.F.R. § 1.312(a) (2 pages)

Comments on Statement of Reasons for Allowance (3 pages)

Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)



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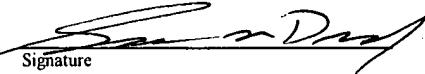
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Shawnee L. MacDonald  
Name (Type/Print)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner indicates:

Claims 1-16 are allowable over the Prior Art of Record because it fails to teach or suggest an apparatus for determining at least one dimensional value of a substantially planar substrate, comprising: a first linear measuring device including a first movable caliper finger disposed on one side of the plane for measuring a first linear distance from a common zero point location to the first surface of the substrate along an axis substantially normal to the first and second surfaces, the first movable caliper finger movable in a linear direction substantially normal to the plane; a second linear measuring device including a second movable caliper finger disposed on

an opposing side of the plane for measuring a second linear distance from the common zero point location to the second surface of the substrate along the axis generally normal to the first and second surfaces, the second movable caliper finger being coaxial with the first movable caliper finger and movable in a linear direction substantially normal to the plane, the common zero point location being a location of the end of the first linear measuring device wherein the end of the first linear measuring device is in axial contact with an end of the second linear measuring device in combination with the remaining limitations of the claims.

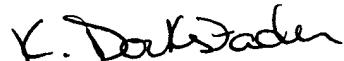
Claims 17-31 are allowable over the Prior Art of Record because it fails to teach or suggest an apparatus for determining at least one dimensional value of a substantially planar substrate, comprising: a first contact member on the terminal end of the first caliper finger; and a second contact member on the terminal end of the second caliper finger; wherein the at least one complementary set of linear measuring devices is configured to define a common zero point location at a location of mutual contact between contact members of the first and second coaxial, opposing, movable caliper fingers, to provide a corresponding zero point value as a linear distance for each movable caliper finger, and to provide displacement values for each movable caliper finger when displaced away from the common zero point location in combination with the remaining limitations of the claims.

Claims 32-44 are allowable over the Prior Art of Record because it fails to teach or suggest a method for determining at least one dimensional value of a substantially planar substrate, comprising the steps of establishing a common zero point location in or immediately adjacent the plane from which first and second linear distances perpendicular to the plane may be measured; placing the substantially planar substrate parallel to the plane and with the common zero point location located within the substantially planar substrate; measuring the first linear distance from the common zero point location to the first substantially planar side of the substantially planar substrate in at least one location along the substantially planar substrate; and measuring the second linear distance from the common zero point location to the second, opposing, substantially planar side of the substantially planar substrate in the least one location along the substantially planar substrate in combination with the remaining limitations of the claims.

Applicant concurs with the reasons as stated by the Examiner insofar as they comprise a summary, and are exemplary and not limiting. However, as indicated by the Examiner, the independent claims as allowed include other and different language than that specified by the

Examiner, and the allowed dependent claims include other and further features and elements. Further, independent claim 32 does not include the limitation, "comprising the steps of." Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as equivalents thereof.

Respectfully submitted,



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